

## Rejections under 35 USC 103(a)

### Claims 19-34

In the Office Action, the Examiner rejected Claims 19-34 under 35 USC 103(a) as being unpatentable over Bell (6,600,902 B1) in view of Sutphin (5,109,403). Applicant has reviewed Bell in view of Sutphin and respectfully asserts that the claimed embodiments of the present invention are not obvious in view of Bell and Sutphin for the following rationale.

Applicant respectfully states that Independent Claims 19 and 27 recite the feature “a personal information device configured to control a telephone via a wireless communication such that the telephone dials a number stored on the personal information device (PID).” As the Examiner has stated, Bell does not teach or disclose the present feature.

However, Applicant respectfully disagrees that Sutphin remedies the deficiencies of Bell. Moreover, Applicant understands Sutphin to teach away from a further feature of Claims 19 and 27. That is, Claims 19 and 27 include the feature “transferring data over a wireless port for short range wireless data transfer.” That is, the port for transferring data between the PID and the telephone is a short-range wireless port. As clearly described in the specification of the present invention, one embodiment of the technology is Bluetooth with a limited range (a few feet to a few tens of feet). Applicant understands Sutphin to teach away from the use of the wireless port and

instead Applicant understands Sutphin (e.g., Figure 1) to utilize the mobile telephone switching office and a cell-site facility to place a call to a mobile telephone over a network in the standard fashion for most mobile phone technology. Therefore, the telephone may be any distance from the host computer of Sutphin, including across the country, or even the planet, as long as it is in the mobile network range.

Therefore, the combination of Sutphin with Bell is not obvious due to the different technologies utilized. As such, the combination of Bell and Sutphin is improper. Specifically, Sutphin does not teach utilizing a short-range wireless data transfer at all.

In addition to utilizing a completely different and incompatible wireless communications method, Applicant respectfully disagrees that Sutphin remedies the deficiencies of Bell with respect to the feature “a personal information device configured to control a telephone via a wireless communication such that the telephone dials a number stored on the personal information device (PID).”

Applicant understands Sutphin to teach placing a call to a mobile telephone from a host computer over a network in a standard fashion. That is, Applicant understands the mobile phone of Sutphin to monitor the network and receive a phone call from a host computer via the paging network (the phone

constantly monitors the paging network in order to receive any type of call). An alert signal (e.g., a ring) is generated in the telephone in response to the initiation signal, and an answer signal is generated by the telephone if a user answers the call (e.g., the phone signals the host computer that the phone has been answered) (Abstract).

Applicant further understands Sutphin to teach utilizing a host computer to initiate a call to the target, or the target to initiate a call to the host, as shown in Figure 4. Therefore, the host computer of Sutphin does not disclose the feature of a PID configured to control the telephone via a wireless communication such that the telephone dials a number stored on the PID. Instead, Sutphin teaches utilizing the standard mobile network to place a call to the telephone and await the telephones answer, or for the telephone to initiate a call to the host. Applicant understands no teachings of Sutphin to utilize the host to cause the telephone to initiate a call to a number stored on the host and not on the telephone.

Therefore, Bell in view of Sutphin fails to teach or suggest the Claimed features of Claims 19 and 27 and, as such, Claims 19 and 27 overcome the Examiner's basis for rejections under 35 USC 103(a).

In addition, Claims 20 through 26 depend from the allowable Claim 19 and recite further features of the present claimed invention. Furthermore,

Claims 28-34 depend from the allowable Claim 27 and recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 20-26 and 28-34 are allowable as pending from allowable base Claims.

### CONCLUSION

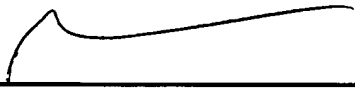
In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 19-34.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

Date: 6/2/04



John P. Wagner Jr.  
Reg. No. 35,398

Two North Market Street  
Third Floor  
San Jose, California 95113  
(408) 938-9060